



SAN U92.001APC

1615 IFW
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : KOTANI, et al.
Appl. No. : 09/937,365
Filed : January 18, 2002
For : COMPOSITIONS FOR
PREVENTING AND TREATING
TYPE I ALLERGY
Examiner : Robert M. Joynes
Art Unit No. : 1615

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Office of Initial Patent Examination, Customer Service Center, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

February 10, 2006

(Date)

Katsuhiro Arai, Reg. No. 43,315

REQUEST FOR CORRECTED FILING RECEIPT

Office of Initial Patent Examination
Customer Service Center
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants noticed an error on the title of the invention indicated in filing receipt issued on February 19, 2002. The true title is **COMPOSITIONS FOR PREVENTING AND TREATING TYPE I ALLERGY** as indicated in the attached Declaration and Power of Attorney executed by the applicants. Presently, the Filing Receipt incorrectly shows the title as COMPOSITION FOR PREVENTING AND TREATING TYPE I ALLERGY. As this error appears to have been made at the U.S. Patent and Trademark Office, we believe no fees to be required. However, should any fees be necessary for this request, please charge them to our deposit Account No. 11-1410.

Enclosed in support of this Request are the following:

- (X) A copy of the Official Filing Receipt.
- (X) A copy of the Declaration and Power of Attorney in two (2) pages.

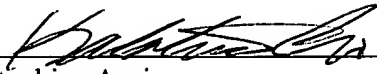
Appl. No. : 09/937,365
Filed : January 18, 2002

- (X) A copy of the stamped return postcard.
- (X) A copy of the transmittal in two (2) pages.
- (X) Return Postcard.

Respectfully submitted,

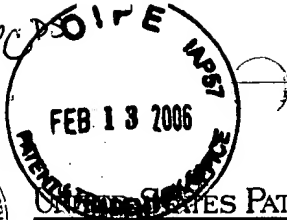
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: February 10, 2006

By: 
Katsuhiro Arai
Registration No. 43,315
Attorney of Record
Customer No. 20,995
(949) 760-0404

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021006

COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/937,365	01/18/2002	1615	990	SAEGU92.001APC	2	18	3

CONFIRMATION NO. 7977

20995
KNOBBE MARTENS OLSON & BEAR LLP
620 NEWPORT CENTER DRIVE
SIXTEENTH FLOOR
NEWPORT BEACH, CA 92660

FILING RECEIPT



OC000000007448243

Date Mailed: 02/19/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Mayumi Kotani, Kobe-shi, JAPAN;
Akihito Fujita, Takatsuki-shi, JAPAN;
Motonobu Matsumoto, Takatsuki-shi, JAPAN;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/JP00/01801 03/24/2000

Foreign Applications

JAPAN 11/84395 03/26/1999
JAPAN 11/123633 04/30/1999
JAPAN 11/173731 06/21/1999

Projected Publication Date: Not Applicable, filed prior to November 29, 2000

Non-Publication Request: No

Early Publication Request: No

Title

→ Composition
Composition for preventing and treating type I allergy

Preliminary Class

424

COPY

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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Attorney's Docket No. SAEGU92.001APC**DECLARATION AND POWER OF ATTORNEY - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is

sought on the invention entitled COMPOSITIONS FOR PREVENTING AND TREATING TYPE I ALLERGY

the specification of which:

- (a) ☐ is attached hereto; or
- (b) ☒ Initial documents for entry into the U.S. National Phase was filed on September 21, 2001 as Application No. 09/937365 or Express Mail No., as Application No. not yet known _____ and was amended on _____ (if applicable); or
- (c) ☒ was described and claimed in PCT International Application No. PCT/JP00/01801 filed on March 24, 2000 and as amended under PCT Article 19 on _____ (if any) and/or under PCT Article 34 on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) listed below and have also identified below any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed for the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 U.S.C. § 119	
Japan	1999-84395	26/03/1999	<input checked="" type="checkbox"/> YES	NO <input type="checkbox"/>
Japan	1999-123633	30/04/1999	<input checked="" type="checkbox"/> YES	NO <input type="checkbox"/>
Japan	1999-173731	21/06/1999	<input checked="" type="checkbox"/> YES	NO <input type="checkbox"/>
			<input type="checkbox"/> YES	NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

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United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S.A. Application(s)

Application No.: _____ Filing Date: _____ Status: _____

POWER OF ATTORNEY: I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: KOTANI MayumiInventor's signature Mayumi Kotani Day 26th Month October Year 2001Residence (city and country): Kobe-shi, Hyogo 653-0024, JapanCitizenship: JapanPost Office Address: 1-4-13, Hamasoedori, Nagata-ku, Kobe-shi, Hyogo 653-0024, JapanFull name of second inventor: FUJITA AkihitoInventor's signature Akihito Fujita Day 26th Month October Year 2001Residence (city and country): Takatsuki-shi, Osaka 569-1121, JapanCitizenship: JapanPost Office Address: 6-18-19, Makami-cho, Takatsuki-shi, Osaka 569-1121, JapanFull name of third inventor: MATSUMOTO MotonobuInventor's signature M. Matsumoto Day 26th Month October Year 2001Residence (city and country): Takatsuki-shi, Osaka 569-1044, JapanCitizenship: JapanPost Office Address: 1-10-6-303, Kamihamuro, Takatsuki-shi, Osaka 569-1044, Japan

Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995
PF-33



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INCOMING US. PATENT DOCKETING CHECKLIST
RETURN POSTCARD FOR A NON-PROVISIONAL PATENT APPLICATION

CHECKED BY: R. Samuel DATE: 10/10/01 CLIENT CODE: SAEGU92.001APC
Staple the postcard in the blank space below.

PCT NATIONAL PHASE UTILITY/DESIGN PATENT (Application) Date: 9/21/01
JC20 Rec'd PCT/PTO SEP 21 2001
Rec'd in the U.S.P.T.O. on the date stamped hereon via Express Mail # EL672820960
Atty. Dkt. # SAEGU92.001APC Applicant: Mayumi et al.
Title: COMPOSITIONS FOR PREVENTING AND TREATING Atty: DEA/JAH
Corres. to PCT Application No.: PCT/JP00/01801 Filed: 3/24/00
VERIFIED BY: Asst: bb Quality Control: [Signature]

<input type="checkbox"/> Patent Appln. in _____ pgs. incl. Spec and _____ Claims	<input type="checkbox"/> Power of Atty. by Assignee; Copy of Assignment
<input checked="" type="checkbox"/> Transmittal in Duplicate	<input type="checkbox"/> Small Entity Statement(s)
<input type="checkbox"/> Decl. and Power of Atty.	<input checked="" type="checkbox"/> International Preliminary Exam Report
<input type="checkbox"/> Decl. by Inventor(s)	<input type="checkbox"/> PCT Form PCT/IPEA/402
<input checked="" type="checkbox"/> Filed Signed/Unsigned	<input checked="" type="checkbox"/> PCT For PCT/IB/308
<input type="checkbox"/> Recordation Form Cover Sheet & Assignment in _____ pgs.	<input checked="" type="checkbox"/> International Search Report
<input type="checkbox"/> Information Disclosure Statement; PTO-1449 w/ _____ ref(s)	<input checked="" type="checkbox"/> International Application as Publis'
<input checked="" type="checkbox"/> Preliminary Amendment in <u>9</u> pgs.	<input checked="" type="checkbox"/> Check for \$ <u>860</u> Filing Fee
<input type="checkbox"/> Check for \$ _____ for Assignment	<input checked="" type="checkbox"/> Request w/ Translation
<input checked="" type="checkbox"/> Return prepaid postcard	<input checked="" type="checkbox"/> Verification of Trans

2 sheets of drawings

09/937365

USE THE FOLLOWING INDICATORS WHEN MARKING THE CHECKLIST:

Y = YES

N = NO

✓ = NON-APPLICABLE

17

IN THE PATENT MANAGEMENT SYSTEM:

- Y Access the Country Application screen, type in the client code and click on the "Search" button.
- Y At Application Number type in the application number noted on the postcard.
- Y Verify the Filing Date in docketing is identical to the Filing Date stamped by the PTO.
Note: If there is a discrepancy, request the file on an URGENT basis. After review, you determine there is a problem, make note of that on a post-it note, bringing to the attorney's attention.
- Y Click on the "Save" button.
- Y Click on the "List of Actions" button and look for an action such as POSTCARD RECVD.
- Y Click on the ellipse button to the right of the action. Verify you have retrieved the correct Action Type such as "MD PAT APPLN" or "MD MISS PART PA."
- Y In the Taken field of the POSTCARD RECVD action, type the date the postcard was received at KMOB.
- Y Click on the "Save" button, then click on the "Exit" button.

Date: September 20, 2001

Page 1



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**TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 USC 371**

International Application No.: PCT/JP00/01801
International Filing Date: March 24, 2000
Priority Date Claimed: June 21, 1999; April 30, 1999; March 26, 1999
Title of Invention: COMPOSITIONS FOR PREVENTING AND TREATING TYPE I ALLERGY
Applicant(s) for DO/EO/US: Mayumi Kotani, Akihito Fujita, Motonobu Matsumoto

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. (X) This is a **FIRST** submission of items concerning a filing under 35 USC 371.
2. (X) This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Articles 22 and 39(1).
3. (X) A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
4. (X) A copy of the International Application as filed (35 USC 371(c)(2))
 - a) () is transmitted herewith (required only if not transmitted by the International Bureau).
 - b) () has been transmitted by the International Bureau.
 - c) (X) a copy of Form PCT/1B/308 is enclosed.
 - d) () is not required, as the application was filed in the United States Receiving Office (RO/US).
5. (X) Verification of translation.
6. (X) PCT Request with a translation of the International Application into English (35 USC 371(c)(2)).
7. (X) 2 sheets of drawings.
8. (X) Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3))
 - a) () are transmitted herewith (required only if not transmitted by the International Bureau).
 - b) () have been transmitted by the International Bureau.
 - c) () have not been made; however, the time limit for making such amendments has NOT expired.
 - d) (X) have not been made and will not be made.
9. (X) A copy of the International Preliminary Examination Report with any annexes thereto, such as any amendments made under PCT Article 34.
10. (X) A **FIRST** preliminary amendment.
11. (X) Cover sheet for International Application as published.
12. (X) International Search Report.

Date: September 20, 2001

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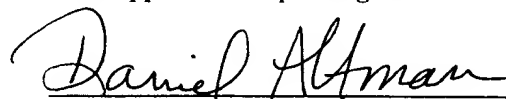
13. (X) A return prepaid postcard.
14. (X) The following fees are submitted:

				FEES
BASIC FEE				\$860
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	18 - 20 =	0 ×	\$18	\$0
Independent Claims	3 - 3 =	0 ×	\$80	\$0
TOTAL OF ABOVE CALCULATIONS				\$860
TOTAL FEES ENCLOSED				\$860

15. (X) The fee for later submission of the signed oath or declaration set forth in 37 CFR 1.492(e) will be paid upon submission of the declaration.
16. (X) A check in the amount of \$860 to cover the above fees is enclosed.
17. (X) The Commissioner is hereby authorized to charge only those additional fees which may be required, now or in the future, to avoid abandonment of the application, or credit any overpayment to Deposit Account No. 11-1410.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:



Daniel E. Altman
Reg. No. 34,115
Customer No. 20,995